

A CERTIFIED TRUE COPY

AUG 28 2006

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONU.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2006 AUG 29 AM 11:10

LORETTA G. WHYTE
CLERK

DOCKET NO. 1657

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 10 2006

FILED
CLERK'S OFFICE**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-60)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,215 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is
pending at this time, the
stay is lifted.

AUG 28 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONCLERK'S OFFICE
A TRUE COPY

SEP 7 2006

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LADona
6569

SCHEDULE CTO-60 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> | <u>EDLA</u> <u>SEC. L/3</u> |
|----------------------------|---|--------------------------------|
| ALABAMA MIDDLE | | |
| ALM 1 06-584 | Walter Butler, et al. v. Merck & Co., Inc. | 06-5487 |
| ALM 1 06-637 | Ruth Williams v. Merck & Co., Inc. | 06-5488 |
| ALM 2 06-557 | Rosie Russaw, etc. v. Merck & Co., Inc., et al. Opposed 8/16/06 | |
| ALABAMA NORTHERN | | |
| ALN 2 06-1279 | Betty Whitehead, etc. v. Merck & Co., Inc., et al. Opposed 8/16/06 | |
| ALN 2 06-1365 | Patricia Elise Hargrove, etc. v. Merck & Co., Inc. | 06-5489 |
| ALN 2 06-1402 | Rhetta McCants, etc. v. Merck & Co., Inc. | 06-5490 |
| ALN 2 06-1414 | Mary Jane Seabury, et al. v. Merck & Co., Inc. | 06-5491 |
| ALN 2 06-1417 | Adele G. Baras v. Merck & Co., Inc. | 06-5492 |
| ALN 2 06-1430 | Kristina McWaters, etc. v. Merck & Co., Inc. | 06-5493 |
| ALN 5 06-1416 | Billy F. Shields, et al. v. Merck & Co., Inc. | 06-5494 |
| ALN 7 06-1368 | Robert Cox v. Merck & Co., Inc. | 06-5495 |
| ARKANSAS EASTERN | | |
| ARE 4 06-761 | Glen Bost, et al. v. Merck & Co., Inc. | 06-5496 |
| CALIFORNIA EASTERN | | |
| CAE 2 06-1597 | Patrick Gavigan v. Merck & Co., Inc., et al. | 06-5497 |
| CALIFORNIA NORTHERN | | |
| CAN 3 06-4180 | Edward Schwartz v. Merck & Co., Inc., et al. Opposed 8/24/06 | |
| CAN 3 06-4497 | Fabrice Malzieu v. Merck & Co., Inc., et al. | 06-5498 |
| CALIFORNIA SOUTHERN | | |
| CAS 3 06-1468 | Leonor Gibson v. Merck & Co., Inc. | 06-5499 |
| FLORIDA MIDDLE | | |
| FLM 2 06-321 | Hilda Taylor, etc. v. Merck & Co., Inc., et al. | 06-5500 |
| FLM 2 06-354 | Joseph Panzera v. Merck & Co., Inc. | 06-5501 |
| FLM 2 06-355 | Bobby Lee Joiner v. Merck & Co., Inc. | 06-5502 |
| FLM 3 06-606 | Jacob Green, et al. v. Merck & Co., Inc., et al. | 06-5503 |
| FLM 5 06-228 | Julian Niedbala v. Merck & Co., Inc., et al. | 06-5504 |
| FLM 8 06-1204 | Linda Matrulla v. Merck & Co., Inc., et al. | 06-5505 |
| FLM 8 06-1213 | Aida Rivera v. Merck & Co., Inc., et al. | 06-5506 |
| FLM 8 06-1229 | Martha Travis v. Merck & Co., Inc., et al. | 06-5507 |
| FLM 8 06-1236 | Marshall Dentmon v. Merck & Co., Inc., et al. | 06-5508 |
| FLM 8 06-1256 | Rosa Medina v. Merck & Co., Inc. | 06-5509 |
| FLM 8 06-1356 | Alan Aronoff v. Merck & Co., Inc., et al. | 06-5510 |
| FLORIDA NORTHERN | | |
| FLN 3 06-288 | Meredith Devoe, et al. v. Merck & Co., Inc. | 06-5511 |
| FLN 4 06-353 | Leon Singleton v. Merck & Co., Inc., et al. Vacated 8/22/06 | |
| FLN 4 06-356 | Anita Davis v. Merck & Co., Inc., et al. Opposed 8/21/06 | |
| FLORIDA SOUTHERN | | |
| FLS 9 06-80640 | Jeff Weisman v. Merck & Co., Inc., et al. | 06-5512 |

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| GEORGIA NORTHERN GAN 4 06-163 | Gary Knowles, et al. v. Merck & Co., Inc. | 06-5513 |
| HAWAII | | |
| HI 1 06-348 | Liberta K. Karratti, et al. v. Merck & Co., Inc. | 06-5514 |
| HI 1 06-355 | Miyoko Sugano v. Merck & Co., Inc. | 06-5515 |
| HI 1 06-356 | John A. Kimmell, II v. Merck & Co., Inc. | 06-5516 |
| HI 1 06-357 | Melvin M. Imamura, et al. v. Merck & Co., Inc. | 06-5517 |
| HI 1 06-358 | Santago Espinas, et al. v. Merck & Co., Inc. | 06-5518 |
| HI 1 06-359 | Thomas Frigge, et al. v. Merck & Co., Inc. | 06-5519 |
| HI 1 06-360 | Veronica Edwards v. Merck & Co., Inc. | 06-5520 |
| HI 1 06-361 | Geraldine Wabinga v. Merck & Co., Inc. | 06-5521 |
| HI 1 06-362 | Wynetta Carl Matsuura, et al. v. Merck & Co., Inc. | 06-5522 |
| HI 1 06-363 | Sam Barraco, et al. v. Merck & Co., Inc. | 06-5523 |
| HI 1 06-364 | Nelson Adams v. Merck & Co., Inc. | 06-5524 |
| HI 1 06-365 | Joseph Scrofani, et al. v. Merck & Co., Inc. | 06-5525 |
| IOWA SOUTHERN | | |
| IAS 1 06-20 | Donna L. Brown v. Merck & Co., Inc. | 06-5526 |
| IAS 4 06-311 | Marilyn Brownell, et al. v. Merck & Co., Inc. | 06-5527 |
| IAS 4 06-353 | Vicky L. Pryor, etc. v. Merck & Co., Inc. | 06-5528 |
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| ID 2 06-264 | John Hove v. Merck & Co., Inc. | 06-5529 |
| ILLINOIS CENTRAL | | |
| ILC 2 06-2133 | Elizabeth L. Gunning, etc. v. Merck & Co., Inc. | 06-5530 |
| ILC 4 06-4044 | Sandra C. Johnson Williamson, etc. v. Merck & Co., Inc. | 06-5531 |
| ILLINOIS NORTHERN | | |
| ILN 1 06-3875 | Lorraine Cote v. Merck & Co., Inc. | 06-5532 |
| ILN 1 06-3920 | Kathryn Fredrick, et al. v. Merck & Co., Inc. | 06-5533 |
| ILLINOIS SOUTHERN | | |
| ILS 3 06-543 | Trudy Hull v. Merck & Co., Inc. | 06-5534 |
| LOUISIANA WESTERN | | |
| LAW 2 06-1263 | Barbara C. Walker v. Merck & Co., Inc. | 06-5535 |
| MARYLAND | | |
| MD 1 06-1664 | Joseph P. Pacheco v. Merck & Co., Inc. | 06-5536 |
| MD 1 06-1665 | Louise E. Regan v. Merck & Co., Inc. | 06-5537 |
| MD 1 06-1669 | Sandra Banach-Sittler, et al. v. Merck & Co., Inc. | 06-5538 |
| MD 1 06-1670 | Harry E. Wink, Jr., et al. v. Merck & Co., Inc. | 06-5539 |
| MD 1 06-1880 | Thomas Beck v. Merck & Co., Inc., et al. | 06-5540 |
| MINNESOTA | | |
| MN 0 06-2141 | Judy Ackland v. Merck & Co., Inc. | 06-5541 |
| MN 0 06-2723 | Wendall Adams v. Merck & Co., Inc. | 06-5542 |
| MN 0 06-2834 | Kathleen M. O'Hehir-Johnson v. Merck & Co., Inc. | 06-5543 |
| MN 0 06-2835 | Ruth A. Silva v. Merck & Co., Inc. | 06-5544 |
| MN 0 06-2836 | Elmer P. Rose v. Merck & Co., Inc. | 06-5545 |
| MN 0 06-2837 | Norma J. Polman v. Merck & Co., Inc. | 06-5546 |
| MN 0 06-2838 | Beverly Tepley v. Merck & Co., Inc. | 06-5547 |
| MN 0 06-2839 | Larry R. Karnes v. Merck & Co., Inc. | 06-5548 |

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| MN 0 06-2840 | Michele L. Stilnovich v. Merck & Co., Inc. | 06-5549 |
| MN 0 06-2841 | Lois N. Salo v. Merck & Co., Inc. | 06-5550 |
| MN 0 06-3051 | Walter Harrison v. Merck & Co., Inc. | 06-5551 |
| MN 0 06-3110 | Jon Guthmiller, et al. v. Merck & Co., Inc., et al. | 06-5552 |
| MISSOURI EASTERN | | |
| MOE 4 06-1096 | Marsha Sumrall, etc. v. Merck & Co., Inc. | 06-5553 |
| MISSISSIPPI NORTHERN | | |
| MSN 2 06-126 | Cary Smith v. Merck & Co., Inc. | 06-5554 |
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| MSS 2 06-182 | Jerry Don West v. Merck & Co., Inc., et al. | 06-5555 |
| MSS 3 06-329 | Frederick Resse, etc. v. Merck & Co., Inc. | 06-5556 |
| MSS 3 06-375 | William E. Boyd, et al. v. Merck & Co., Inc. | 06-5557 |
| MSS 3 06-378 | Wayne Musgrove v. Merck & Co., Inc., et al. | 06-5558 |
| NORTH CAROLINA MIDDLE | | |
| NCM 1 06-594 | Tammy D. Cole v. Merck & Co., Inc. | 06-5559 |
| NEBRASKA | | |
| NE 8 06-460 | Thomas C. Kouth v. Merck & Co., Inc. | 06-5560 |
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| NV 2 06-914 | John James Mangani v. Merck & Co., Inc., et al. Opposed 8/18/06 | |
| NEW YORK EASTERN | | |
| NYE 1 06-3631 | Eula Daniels v. Merck & Co., Inc. | 06-5561 |
| NEW YORK SOUTHERN | | |
| NYS 1 06-5074 | Claubette Jackson, et al. v. Merck & Co. Inc. | 06-5562 |
| NYS 1 06-5202 | Walesca Quinones, etc. v. Merck & Co., Inc. | 06-5563 |
| NYS 1 06-5524 | Cynthia Margolies v. Merck & Co., Inc. | 06-5564 |
| NEW YORK WESTERN | | |
| NYW 6 06-6331 | Robin Philp v. Merck & Co., Inc. | 06-5565 |
| NYW 6 06-6356 | Patricia Neuman v. Merck & Co., Inc., et al. | 06-5566 |
| NYW 6 06-6357 | Carolyn Corsoro v. Merck & Co., Inc., et al. | 06-5567 |
| NYW 6 06-6358 | William H. Burns, etc. v. Merck & Co., Inc., et al. | 06-5568 |
| OHIO NORTHERN | | |
| OHN 3 06-1617 | Louise Brown v. Merck & Co., Inc. | 06-5569 |
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| OHS 1 06-435 | David Boomershire, et al. v. Merck & Co., Inc. | 06-5570 |
| OKLAHOMA NORTHERN | | |
| OKN 4 06-373 | Gay Lynn Jones v. Merck & Co., Inc. | 06-5571 |
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| OKW 5 06-685 | Ronald Hare, etc. v. Merck & Co., Inc. | 06-5572 |
| OKW 5 06-734 | Jane Warren v. Merck & Co., Inc. | 06-5573 |
| OKW 5 06-768 | Benjamin Stepeny, etc. v. Merck & Co., Inc. | 06-5574 |
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| OKW 5 06-771 | Connie Vickery, et al. v. Merck & Co., Inc. | 06-5576 |

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> | <u>EDLA SEC. L/3</u> |
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| OREGON | | |
| OR 3 06-976 | James J. Wood, et al. v. Merck & Co., et al. | 06-5577 |
| OR 6 06-6152 | Lynn Alan Wright, et al. v. Merck & Co., Inc. | 06-5578 |
| PENNSYLVANIA EASTERN | | |
| PAE 2 06-2826 | Dr. David N. Greenhaw, et al. v. Merck & Co., Inc., et al. | 06-5579 |
| PAE 2 06-2838 | George Walls v. Merck & Co., Inc., et al. | 06-5580 |
| PAE 2 06-2851 | James Montgomery v. Merck & Co., Inc., et al. | 06-5581 |
| PAE 2 06-3062 | Donald Maliszewski v. Merck & Co., Inc., et al. | 06-5582 |
| PAE 2 06-3097 | Lowell Bulger, et al. v. Merck & Co., Inc., et al. | 06-5583 |
| PAE 2 06-3110 | Jesse Singleton v. Merck & Co., Inc. | 06-5584 |
| PAE 2 06-3178 | Debra A. Beyer, et al. v. Merck & Co., Inc., et al. | 06-5585 |
| PAE 2 06-3179 | Marie C. Oakley, et al. v. Merck & Co., Inc., et al. | 06-5586 |
| PAE 2 06-3180 | Sam S. Pardino, et al. v. Merck & Co., Inc., et al. | 06-5587 |
| PAE 2 06-3181 | Gregory D. Kelly, et al. v. Merck & Co., Inc., et al. | 06-5588 |
| PAE 2 06-3182 | Sylvia Hauge, et al. v. Merck & Co., Inc., et al. | 06-5589 |
| PAE 2 06-3189 | Vivian D. Beckenbaugh v. Merck & Co., Inc. | 06-5590 |
| PAE 2 06-3221 | Geroloma F. Walter, etc. v. Merck & Co., Inc., et al. | 06-5591 |
| PAE 2 06-3278 | Frances S. Wright v. Merck & Co., Inc., et al. | 06-5592 |
| PAE 2 06-3279 | Joan M. Miller, et al. v. Merck & Co. Inc., et al. | 06-5593 |
| PENNSYLVANIA WESTERN | | |
| PAW 2 06-935 | Janice L. Snyder, etc. v. Merck & Co., Inc., et al. | 06-5594 |
| SOUTH DAKOTA | | |
| SD 4 06-4126 | Gerald Miller v. Merck & Co., Inc., et al. | 06-5595 |
| TEXAS EASTERN | | |
| TXE 6 06-302 | Russell Martin v. Merck & Co., Inc. | 06-5596 |
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| TXN 4 06-460 | Jackson Stockstill v. Merck & Co., Inc. | 06-5597 |
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| TXS 3 06-468 | Steven J. Birdwell, et al. v. Merck & Co., Inc. | 06-5598 |
| TXS 4 06-2201 | Eunice Alvarado, et al. v. Merck & Co., Inc. | 06-5599 |
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| TEXAS WESTERN | | |
| TXW 1 06-528 | Bassam Mahmoud v. Merck & Co., Inc. | 06-5602 |
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| VAE 2 06-363 | Ellen P. Bailey, et al. v. Merck & Co., Inc. | 06-5605 |
| WISCONSIN WESTERN | | |
| WIW 3 06-373 | John Matthews, et al. v. Merck & Co., Inc. | 06-5606 |
| WEST VIRGINIA SOUTHERN | | |
| WVS 2 06-500 | Mildred E. Tanyhill, et al. v. Merck & Co., Inc. | 06-5607 |
| WVS 5 06-509 | Mary Andrews v. Merck & Co., Inc. | 06-5608 |
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